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MAY 20 2011

**Board of Vocational Nursing
and Psychiatric Technicians**

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**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2008-1523

LAURA ELAINE ABALAZ
3630 Columbia Street
Selma, California 93662
Vocational Nurse License No. VN 229336

A C C U S A T I O N

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians ("Board"), Department of Consumer Affairs.

2. On or about September 1, 2007, the Board issued Vocational Nurse License Number VN 229336 to Laura Elaine Abaloz ("Respondent"). Respondent's vocational nurse license was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2012, unless renewed.

STATUTORY PROVISIONS

3. Business and Professions Code ("Code") section 2875 provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with section 2875) of the Vocational Nursing Practice Act.

1 4. Code section 2878 states, in pertinent part:

2 The Board may suspend or revoke a license issued under this chapter [the
3 Vocational Nursing Practice Act (Bus. & Prof. Code § 2840, et seq.)] for any of the
4 following:

5 (a) Unprofessional conduct . . .

6

7 (j) The commission of any act involving dishonesty, when that action is
8 related to the duties and functions of the licensee . . .

9 5. Code section 2878.5 states, in pertinent part:

10 In addition to other acts constituting unprofessional conduct within the
11 meaning of this chapter [the Vocational Nursing Practice Act] it is unprofessional
12 conduct for a person licensed under this chapter to do any of the following:

13

14 (e) Falsify, or make grossly incorrect, grossly inconsistent, or
15 unintelligible entries in any hospital, patient, or other record pertaining to narcotics or
16 dangerous drugs as specified in subdivision (b).

17 COST RECOVERY

18 6. Code section 125.3 provides, in pertinent part, that the Board may request the
19 administrative law judge to direct a licensee found to have committed a violation or violations of
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
21 enforcement of the case.

22 CONTROLLED SUBSTANCE AT ISSUE

23 7. "Vicodin" is a compound consisting of 5 mg hydrocodone bitartrate, also known as
24 dihydrocodeinone, and 500 mg acetaminophen per tablet, and is a Schedule III controlled
25 substance as designated by Health and Safety Code section 11056, subdivision (e)(4).

26 FIRST CAUSE FOR DISCIPLINE

27 (False Entries in Hospital/Patient Records)

28 8. Respondent is subject to disciplinary action pursuant to Code section 2878,
subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2878.5,
subdivision (e), in that on and between October 24, 2008, and November 19, 2008, while on duty
as a licensed vocational nurse in the Family Birthing Center at Adventist Health - Selma

Community Hospital located in Selma, California, Respondent falsified, or made grossly incorrect, grossly inconsistent, or unintelligible entries in hospital, patient, or other records pertaining to the controlled substance Vicodin, as follows:

Patient "A"

a. On October 24, 2008, at 2345 hours, Respondent removed two Vicodin tablets from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's Medication Administration Record ("MAR"), document the wastage of the Vicodin in the Omnicell, and otherwise account for the disposition of the two Vicodin tablets.

b. On October 25, 2008, at 0614 hours, Respondent removed one Vicodin tablet from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the disposition of the one Vicodin tablet.

Patient "B"

c. On October 25, 2008, at 0614 hours, Respondent removed two Vicodin tablets from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the disposition of the two Vicodin tablets.

d. On October 26, 2008, at 0245 hours, Respondent removed two Vicodin tablets from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the disposition of the two Vicodin tablets.

Patient "C"

e. On October 25, 2008, at 2242 hours, Respondent removed two Vicodin tablets from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the disposition of the two Vicodin tablets.

f. On October 26, 2008, at 0517 hours, Respondent removed two Vicodin tablets from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's

1 MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the
2 disposition of the two Vicodin tablets.

3 **Patient "D"**

4 g. On October 26, 2008, at 0120 hours, Respondent removed two Vicodin tablets from
5 the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's
6 MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the
7 disposition of the two Vicodin tablets.

8 h. On October 26, 2008, at 0544 hours, Respondent removed two Vicodin tablets from
9 the Omnicell for the patient, but failed to chart the administration of the Vicodin on the patient's
10 MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for the
11 disposition of the two Vicodin tablets.

12 **Patient "K"**

13 i. On November 18, 2008, at 2028 hours, Respondent removed two Vicodin tablets
14 from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the
15 patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for
16 the disposition of the two Vicodin tablets.

17 **Patient "L"**

18 j. On November 19, 2008, at 0538 hours, Respondent removed two Vicodin tablets
19 from the Omnicell for the patient, but failed to chart the administration of the Vicodin on the
20 patient's MAR, document the wastage of the Vicodin in the Omnicell, and otherwise account for
21 the disposition of the two Vicodin tablets.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Dishonest Acts)**

24 9. Respondent is subject to disciplinary action pursuant to Code section 2878,
25 subdivision (j), in that on and between October 24, 2008, and November 19, 2008, Respondent
26 committed acts involving dishonesty while licensed as a vocational nurse, as set forth in
27 paragraph 8 above.


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1 **PRAYER**

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
4 issue a decision:

- 5 1. Revoking or suspending Vocational Nurse License Number VN 229336, issued to
6 Laura Elaine Abaloz;
- 7 2. Ordering Laura Elaine Abaloz to pay the Board of Vocational Nursing and
8 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
9 pursuant to Business and Professions Code section 125.3;
- 10 3. Taking such other and further action as deemed necessary and proper.

11
12 DATED: May 20, 2011



13 TERESA BELLO-JONES, J.D., M.S.N., R.N.
14 Executive Officer
15 Board of Vocational Nursing and Psychiatric Technicians
16 Department of Consumer Affairs
17 State of California
18 *Complainant*